

Bona Fide Doubt fields - may be filled in after an IJ makes a finding of bona fide doubt (BFD) before a Franco Notice is filed. IJ does not necessarily find BFD in

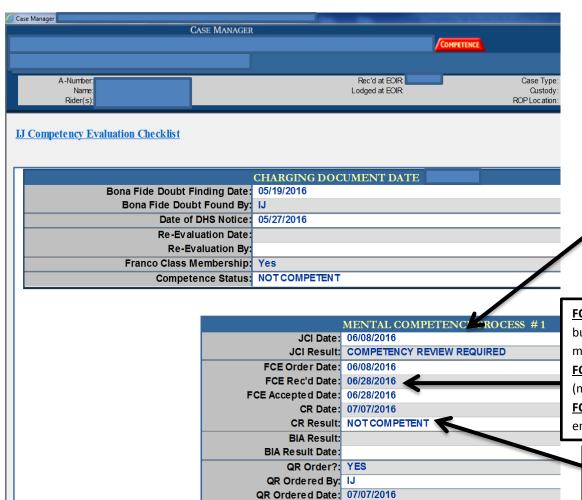
IMPORTANT NOTE: date field should never be filled in with a date that comes after a Franco Notice is filed by

Date of DHS Notice – should be completed in every Franco case. The Notice should be filed before a JCI takes place, but there are instances where a Notice may

Re-Evaluation fields – these fields are only to be used in cases where a respondent was found "incompetent," and the IJ is "re-evaluating" that decision pursuant to a restoration process under the Implementation Order. It is not to be used when a second competency process is conducted after an earlier finding of "competent."

time the record is created, pursuant to an IJ finding bona Membership in a case where respondent is detained and

when a DHS Notice of Class Membership is filed or an IJ finds BFD. He or she remains a class member even if an IJ later finds them competent.



QR Order – "Yes" where a finding of "not competent" is made at either a JCI or CR.

QR Ordered By - "IJ" or "BIA"

QR Ordered Date – should be the date of (or within 1 business day) of the JCI or CR where the IJ made a finding of "not competent." This data must be entered in real time to generate an email alerting the NQRP to expect the QR Order. The QR Order must be sent to the NQRP email address provided on the QR Order.

<u>JCI Date</u> – must take place on or *after* the date of a bona fide doubt finding <u>and/or</u> *after* the date of the filing of a *Franco* Notice of Class Membership. The date of the JCI should be the date of the hearing where a JCI finding ("result") was made.

<u>JCI Result</u> – must complete this field with one of the following:

Competent – no further data entry below required.

Competency Review Required – FCE and CR data fields must be completed at a later date, as they occur.

Not Competent – QR data fields must be completed immediately (including sending a QR Order to the NQRP).

<u>FCE Order Date</u> – date that the IJ submits the FCE Referral, usually within 3 business days of the completion of the JCI. *IMPORTANT NOTE*: FCE Referral must be sent to EOIR HQ with attachments (*see* FCE Referral Form).

<u>FCE Rec'd Date</u> – date that report is sent to and received by the IJ/Court (may be by email).

<u>FCE Accepted Date</u> – date IJ "accepts" the report (usually via confirmation email to EOIR HQ).

<u>CR fields</u> – hearing that takes place after an FCE is received and accepted, where the IJ makes the ultimate finding as to whether the respondent is "competent" or "not competent."

<u>CR Date</u> – the date of the hearing where the CR finding ("result") is made.

<u>CR Result</u> – must be either "competent" or "not competent." <u>IMPORTANT NOTE</u>: the CR result does not replace or change a JCI result. (There should always be a JCI Result of "Competency Review Required" when there is a CR.)